

EXHIBIT 1

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

JACOB DOE

Plaintiff,

v.

No. 1:23-cv-00041

**THE UNIVERSITY OF NORTH
CAROLINA SYSTEM, et al.**

Defendants.

DECLARATION OF PROFESSOR EUGENE VOLOKH

1. I am the Gary T. Schwartz Distinguished Professor of Law at UCLA School of Law, where I specialize in the First Amendment, as well as in pseudonymous litigation, see Eugene Volokh, *The Law of Pseudonymous Litigation*, 73 Hastings L.J. 1353 (2022).

2. I have also written the Volokh Conspiracy blog since 2002; it is now hosted at the *Reason* Magazine site, <http://reason.com/volokh>.

3. I often write blog posts about speech restrictions, and especially gag orders. I also often write about pseudonymous litigation,

and about the sealing of documents. Our blog is one of the few media outlets that routinely covers such matters.

4. I plan to write about the TRO in this case, because of the speech restrictions that it imposes, but in order to explain why the Court entered it, I need to see the motion for TRO and the memorandum supporting it.

5. If there are any sealing orders in the case and motions and accompanying memoranda supporting such orders, I need to see them as well, so that I can write about why they were entered.

6. I learned about the TRO in this case on Feb. 22, 2023. That is also the day I learned that the motion for TRO and the supporting memorandum were sealed.

7. When I called the Clerk's Office on Feb. 23, 2023 to ask about whether there was a LCvR 6.1 motion to seal, I was told that ex parte motions and supporting memoranda were automatically sealed, without the need for a motion. Because this seemed inconsistent with LCvR 6.1, I asked whether I could get more information on the rule authorizing such automatic sealing. I was told that someone would call me back about this, but I have not yet gotten that call.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 28, 2023.

A handwritten signature in cursive script, reading "Eugene Volokh".

Eugene Volokh
UCLA School of Law
385 Charles E. Young Dr. E
Los Angeles, CA 90095
(310) 206-3926
volokh@law.ucla.edu
(Institution affiliation given for
identification and address purposes
only)